

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department – Kurnool District – Yemmiganur (M) &(V) - Acquisition of land for an extent of Ac.5-35 in Sy.No.157/D2 for provision of house sites to the weaker section people – Rs.5,35,852/-(Rupees Five lakhs, thirty five thousand, eight hundred and fifty two only), towards payment of decretal charges in O.P.No.59/92 – Permission accorded - Orders Issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 335

Dated:- 30 .04. 2009
Read the following:-

1. From the Spl.C.S & CCLA,AP,Hyd Lr.No.G4/1590/2008,dated. 23-12-08
2. From the Commissioner of Social Welfare, A.P., Hyderabad,
Lr.Rc.No.LA4/10447/2008, Dated:25.10.2008
3. From the District Collector,Kurnool , Rc.H 42/2000,Dated:17.05.2008.

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ORDER:-

The CCLA, AP., Hyderabad, in his letter 1st read above, while forwarding the proposals of Commissioner of Social Welfare, A.P., Hyderabad and the District Collector, Kurnool vide references 2nd & 3rd read above, has requested the Government to release of an amount of Rs.5,35,852/-(Rupees Five lakhs, thirty five thousand, eight hundred and fifty two only), towards payment of decretal charges in O.P.No.59/92 to comply with Court orders.

2. An Extent of 5-35 acres in Sy.No.157/D2 etc., of Yemmiganur (V) of Yammiganur (M) was acquired for provision of house sites to the weaker sections by the LAO / MRO, Yemmiganur vide Award No.1/89, dt.7-789, duly fixing the Market Value at Rs.30,600/- per acre. On reference made U/s 18 of the L.A. Act, the Sr. Civil Judge, Adoni in O.P.No.59/92, dt.29-2-2000 has fixed the Market Value at Rs. 1,50,000/- per acre subject to the deduction of 1/3rd towards development charges and finally fixed the Market Value at Rs. 1,00,000/- per acre. Aggrieved by the above order, the LAO/MRO, Yemmiganur has filed an appeal in the High Court of A.P., Hyderabad in LAAS.No.1539/2005. In the mean while, an amount of Rs.6,90,422/- towards 60% of the enhanced land compensation amount was deposited in the Sr. Civil Judge Court, Adoni, as per the interim orders of the High Court. Finally the High Court of A.P., Hyderabad in LAAS No.1539/05, dated.24-4-2007 has dismissed the appeal filed by the LAO and confirmed the orders of Lower Court

3. The Collector, Kurnool District has further informed that the Hon'ble High Court while hearing the appeal, taking into consideration Exs.X4 fixed the Market Value of the acquired land @ Rs.1,50,000/- per acre and deducted 1/3rd towards development charges since the acquisition is for the purpose of providing house sites. Accordingly confirmed the order passed by the Reference Court. The Govt., Pleader has also informed that the findings recorded by the Hon'ble High Court are based upon evidence on record. Therefore, there are no valid grounds to disagree with the findings recorded by the Hon'ble High Court. Hence he has opined that it is not a fit case to prefer any further appeal to Hon'ble Supreme Court of India and advised to comply with the Judgment passed by the Hon'ble High Court immediately without any further delay so as to avoid payment of exorbitant rate of interest. In this case, the LAO has fixed the Market Value at Rs.30,600/- per acre. The Lower Court has enhanced the Market Value from Rs.30,600/- to Rs.1,00,000/- per acre. The High Court has dismissed the appeal filed by the LAO. The Govt., Pleader for Appeals has opined that it is not a fit case to prefer any further appeal to Hon'ble Supreme Court of India.

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4. Government, after careful examination of the above proposal, hereby accord sanction for an amount of Rs.5,35,852/- (Rupees Five lakhs, thirty five thousand, eight hundred and fifty two only), towards payment of decretal charges in O.P.No.59/92 to comply with Court orders for the lands acquired for providing house sites to the weaker section people of Kurnool District.

5. The expenditure sanctioned in para (4) above shall be debited to "2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan – SH (05) Acquisition of House sites to weaker sections in Rural Areas under Indiramma Programme - 310/312 – other Grants-in-aid" during the Budget Estimates 2009-10 (Vote on Account).

6. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Kurnool, to comply with the Court orders.

7. The District Collector, Kurnool, shall verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order issued with the concurrence of Finance (Exp.SW) Department vide their U.O. No.11354 /169 /A1 /Expr.SW/09 Dated: 27.04.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGIREDDY
Principal Secretary to Government (I/c)

To
The Commissioner of Social Welfare, A.P., Hyderabad.
The CCLA, AP, Hyderabad.
The District Collector, Kurnool.
Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The Accountant General, A.P., Hyderabad
The Dist. Treasury Officer, Kurnool.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER